



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/645,450      | 08/25/2000  | Takeiki Aizono       | ASA-912             | 4368             |

24956 7590 03/22/2005

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.  
1800 DIAGONAL ROAD  
SUITE 370  
ALEXANDRIA, VA 22314

EXAMINER

WINDER, PATRICE L

ART UNIT

PAPER NUMBER

2145

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                      |  |
|------------------------------|--------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/645,450 | <b>Applicant(s)</b><br>AIZONO ET AL. |  |
|                              | <b>Examiner</b><br>Patrice Winder    | <b>Art Unit</b><br>2145              |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4,5,7,9,10 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7,9 and 10 is/are allowed.
- 6) ☒ Claim(s) 1,4,5 and 21-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1, 4-5, 7, 9-10, 21-26 are pending.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It's unclear what are the "other processing units"?

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 4-5, 21-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Orlen et al., USPN 5,579,535 (hereafter referred to as Orlen).
6. Regarding claim 1, Orlen taught a transport system having a plurality of roadside stations disposed along a road and interconnected through a network along the road (column 5, lines 21-28), said roadside stations each including a radio communication unit for communicating with a mobile body (column 4, lines 10-16), wherein:  
each of said roadside station comprises:

Art Unit: 2145

means for directly receiving from the mobile body location information indicative of a location at which the mobile body exists by using the radio communication unit (column 2, line 65 - column 3, line 6; column 4, line 62 – column 5, line 4);

means for determining to execute a processing for the mobile body based on said location information when a distance between the mobile body and the roadside station reaches a predetermined value (column 2, lines 61-64, column 4, line 62 - column 5, line 4, column 7, line 57 - column 8, line 3); and

means for executing said processing for the mobile body based on the determination by said means for determining (column 10, lines 60-67).

7. Regarding dependent claim 4, Orlen taught the transport system further comprising:

means for calculating a second location information indicative of a location at which said mobile body will exist at the time said processing should be completed, said second location being calculated by a processing unit in other roadside stations (column 4, line 62 – column 5, line 4).

8. Regarding dependent claim 5, Orlen taught wherein said means for directly receiving further receives times information indicative of a time at said processing should be completed (column 12, lines 24-29).

9. Regarding dependent claim 21, Orlen taught the transport system according to claim 1, wherein said mobile body transmits a plurality of requests to said roadside stations (column 12, lines 57-67), and said transport system further comprises:

means for directly receiving a vehicle number indicative of said mobile body to be sent with a response to said request (column 7, line 45-49); and  
each said roadside station further comprising:

means for broadcasting a result of said execution of said processing for the mobile body to said mobile body or to other roadside station interconnected through the network (column 9, lines 38-47); and

means for determining to execute a processing for the mobile body of said vehicle number, based on said location information when a distance between the mobile body and the roadside station along the road reaches a predetermined value (c.

10. Regarding dependent claim 22, Orlen taught the transport system further comprising:

means for starting a timer which means a period of time for holding said result of said execution of said processing for the mobile body (column 12, lines 24-35).

***Allowable Subject Matter***

11. Claims 7, 9-10 are allowed.

12. If the 112, 2<sup>nd</sup> rejection is resolved concerning claim 23, claims 23-26 would be allowed.

13. The following is a statement of reasons for the indication of allowable subject matter:

Claims 7, 9-10, 23-26 are allowable over the prior art of record because the prior art fails to teach or suggest the following --

A roadside station, which has received said request information, transmitting said request information to other roadside stations through said network; or

means for broadcasting the location information and the route information to other roadside stations interconnected through the network.

In the examiner's opinion, the prior art of record fails to teach or suggest the roadside stations communicating request information, location information and route information, and result information through the interconnected network.

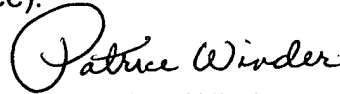
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571-272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2145

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Patrice Winder  
Primary Examiner  
Art Unit 2145

March 21, 2005